

CV 15 - 0825

ORIGINAL CIVIL RIGHTS COMPLAINT
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Alexander Nino Gonzales
13-R-1033

Full name of plaintiff/prisoner ID#

Plaintiff,

BLOOM, M.J.
JURY TRIAL DEMAND
YES X NO

-against-

Judge Roger F. Sagerman/U.S. Immigration Court

Elsa Gladys Cifuentes Aranzazu/Colombian Consular NY, NY/USA

Daniel Toro, Shield No. 03664 / New York City Detective

Enter full names of defendants

[Make sure those listed above are
identical to those listed in Part III.]

Defendants.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No ()
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

**2. Court (if federal court, name the district;
if state court, name the county)**

3. Docket Number: _____

4. Name of the Judge to whom case was assigned: _____

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

6. Approximate date of filing lawsuit: _____

7. Approximate date of disposition: _____

II. Place of Present Confinement: Cape Vincent Correctional Facility

A. Is there a prisoner grievance procedure in this institution? Yes () No (X)

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes () No () N/A

C. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

D. If your answer is NO, explain why not _____

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes () No () N/A

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Alexander Nino Gonzales / DIN: 13-R-1033

Address Cape Vincent Correctional Facility
Route 12E, P.O. Box 739 Cape Vincent, N.Y. 13618

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served.
Plaintiff must provide the address for each defendant named.-----

Defendant No. 1 Judge Roger F. Sagerman/U.S. Immigration Ct.
750 Berme Road, P.O. Box 800
Napanoch, New York 12458

Defendant No. 2 Elsa Gladys Cifuentes Aranzazu/ Consular
10 East 46 Street,
New York, New York 10017

Defendant No. 3 Daniel Toro 03664/ New York City Detective
Precinct 108 / One Police Plaza Room 1400
New York, New York 10038

Defendant No. 4 _____

Defendant No. 5 _____

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

Statement of Claim Number 1.

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

On October 30th, 2014 I appeared in front of Judge F. Sagerman of the United States Immigration Court for a Deportation Proceeding. While the proceeding was going on I showed Judge Sagerman a piece of paper supporting my Civil Rights and Judge Sagerman got angry. After that Proceeding Judge Sagerman on November 21st, 2014 sent me a Notice stating that I should appeal his decision on my Deportation Case because I did not appear in Court on October 30th, 2014 for the Deportation Proceeding. Just because Judge Sagerman got angry with me he arbitrarily and maliciously interrupted the Due Process in my case and decided with an abusiveness on his power and discretion. This is wrong of him for I indeed was in that deportation proceeding on October 30th, 2014.

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Statement of Claim Number 1. Relief number 1

V. Relief:

State what relief you are seeking if you prevail on your complaint.

Judge Sagerman knowing that my rights were violated and
did not care. I belief all of us are equal. For this
reason I demand Three Million Dollars (\$3,000,000.00).

I declare under penalty of perjury that on 1-20-2015, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 20 day of January, 2015. I declare under penalty of
perjury that the foregoing is true and correct.

gonzalez Alex
Signature of Plaintiff

Cape Vincent Correctional Facility
Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

Statement of Claim No. 3

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

On September 13th, 2012 I spoke with Arresting Officer, Detective Daniel Toro, Shield Number 03664, of 108th Precinct of Long Island City, New York telling him that I wanted to speak with my family so that they could find me a Lawyer, but in actuality Detective Toro Denied my rights and did not let me make a call. I had the right to speak with my family and my rights were denied. Also, I made a written statement to Detective Toro. I told Detective Toro that I wanted a copy of that statement so that I could use it in Court but he never gave it to me nor it ever appeared again. With these two incidents mentioned above my rights were violated.

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Statement of Claim relief Number 2

V. Relief:

State what relief you are seeking if you prevail on your complaint.

All my rights were violated by the Colombian Consular,
Elsa Gladys Cifuentes Aranzazu. and for that simple fact
I demand Four Million Dollars (\$4,000,000.00).

I declare under penalty of perjury that on 1-20-2015, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 20 day of January, 2015. I declare under penalty of
perjury that the foregoing is true and correct.

Gonzalez ALEX

Signature of Plaintiff

Cape Vincent Correctional Facility

Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

Statement of Claim Number 2

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

On June 2nd, 2014 I wrote to the Columbian Consular, Elsa
Gladys Cifuentes Aranzazu, in New York City to Represent,
help, get me Lawyer and advise me as to what was expected
to happen with me on my Immigration Case. I received a
letter from them saying that they could not help me.

On October 14, 2014 I sent them another letter so that
they could go to the Immigration Court hearing which was
for the October 30th, 2014 and they never showed up in
court. As a Columbian Citizen I claimed my rights and
they denied it. This is improfessional that as a Columbian
Consular they never made any efforts to help me at all since
I am a Columbian Citizen of their Country.

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

Statement of Claim Relief No. 3

V. Relief:

State what relief you are seeking if you prevail on your complaint.

For not doing and carrying out his job the way it supposed
to be. He knowing my rights and for that reason I demand
Three Million dollars (\$3,000,000.00).

I declare under penalty of perjury that on 1-20-2015, I delivered this
(Date)
complaint to prison authorities to be mailed to the United States District Court for the Eastern
District of New York.

Signed this 20 day of January, 20 15 I declare under penalty of
perjury that the foregoing is true and correct.

Gonzalez Alex
Signature of Plaintiff

Cape Vincent Correctional Facility
Name of Prison Facility

Route 12E, P.O. Box 739

Cape Vincent, N.Y. 13618

Address

13-R-1033

Prisoner ID#

FACTS SHEET NUMBER (1)

On November 21, 2014 I received a letter from Judge Roger Sagerman of the Immigration Court of the United States of America saying that I have to appeal my deportation decision because I did not appear to the deportation hearing.

On October 30th, 2014 I was in the deportation hearing in front of the same judge that sent me the letter.

Because I showed Judge Sagerman a Source of Law (27754 U.S.C.A.) supporting my Legal, Civil and Constitutional Rights he responded angrily and Maliciously.

For this reason he acted in an arbitrary and capricious manner which was an abuse of discretion on his part, where such determination was wholly inconsistent with the facts and circumstances before him which is an unreasonable, unconscionable action taken without proper consideration of facts and law pertaining to the matter submitted.

I am appealing my present Criminal Case. I have already filed Notice of Motion Pursuant to CPLR Section 1101 of New York State to proceed with my Criminal appeal.

Again, I want to mention that I indeed was there in the Hearing on October 30th, 2014 where the judge is saying that I was not there and for that false accusation that I missed the trial is that I am being deported.

DIN.13R1033
FILE.#a042-517-801.

FIRST CAUSES OF ACTION

Abuse of descretion on deciding to deport me with an Arbitrary and Capricious Manner because Judge Roger Sagerman of Immigration Court got angry when I showed him the paper of Connecticut.

According to the Immigration and Ice announced in 2007, Judge Sagerman violated my rights of the Federal and Constitution Law. My Civil Rights were violated by Federal Honorable Roger Sagerman. I represented my self in court because I don't have any money to pay any lawyer. According to the law we have to be equal of any person, but he didn't in my case. According to the First Amendment and subject to the Jurisdiction thereof, are Citizens of the United States of Equal Protection of Person, of Life, of Liberty...

In 2007 Six Students in the Yale Law School Legal Clinic succeeded in persuading an Immigration Judge to toss out Evidence Against a group of Illegal Immigrants who complained of a warrantless Search. The Judge berated the government for it's egregious disregard of the Immigration Constitution Rights and even though the Government had every right to deport the individuals it opted to let them stay long enough to sue Uncle Sam for violating their rights; in fact U.S. Immigration and Customs enforcement, ICE announced a Policy of not to deport any one who is Engaged in a Legitimate effort to Protect their Civil Rights of Civil Liberties. In the mean time Yale Hometown of New Haven Connecticut... and subject to the Jurisdiction thereof, are Citizen of the United States can not deprive any person of life, Liberty, nor deny to any person within its Jurisdiction the Equal protection of Laws.

According to First, fourth, eighth and fourteenth Amendment.

Gonzalez

*appeared before me on
this 1st day of December, 2014.*

Jolene A Radley
NOTARY PUBLIC

JOLENE A. RADLEY
Notary Public, State of New York
Qualified in Jefferson County
No. 01RA6048982
Commission Expires Oct. 2, 20 *18*

ALEXANDER GONZALEZ, D/N 13R1033.

according to the federal laws of the united states of america, nor shall any state deprive any person of life, liberty without due process of law nor deny to any person within its jurisdiction the equal protection of laws.

1331, FEDERAL QUESTION THE DISTRICT COURTS SHALL HAVE ORIGINAL JURISDICTION OF ALL CIVIL ACTIONS ARISING UNDER THE CONSTITUTION LAWS OR TREATIES OF THE UNITED STATES OF AMERICA. THE 1983. CIVIL ACTION FOR DEPRIVATION OF RIGHTS NOTES OF DECISIONS. FOR. 42. U.S.C.A. 1983 ARE DISPLAYED IN SIX SEPARATE DOCUMENT. NOTES OF DECISION FOR SUBDIVISION ARE CONTAINED IN THIS DOCUMENT OFR ADDITIONAL NOTES OF DECISIONS. 1983.

ACCORDING TO THE ICE. CONNECTICUT IN 2007. SIX STUDENT IN THE YALE LAW SCHOOL LEGAL CLINIC SUCCEEDED IN PERSUADING AN IMMIGRATION. WHO COMPLAINED OF WARRANTLESS SEARCH THE JUDGE BERATED THE GOVERNMENT FOR ITS EGREGIOUS DISREGARD OF THE IMMIGRATION. CONSTITUTION RIGHTS AND EVEN THOUGH THE GOVERNMENT HAD EVERY RIGHT TO DEPORT THE INDIVIDUALS IT OPTEN TO LET THEM LONG ENOUGH TO SUE UNCLE SAM FOR VIOLATING THEIR RIGHTS IN FACT. US. IMMIGRATION AND CUSTOMS ENFORCEMENT, ICE, ANNOUNCED. A. POLICY OF NOT TO DEPORTING ANY ONE WHO IS ENGAGE IN A LEGITIMATE. EFFORT TO PROTECT THEIR CIVIL RIGHTS AND, LIBERTY OF PERSON OF LIFE.,

THE VIENNA CONVENTION IS INTERNATIONAL LAWS AND THE UNITED STATES OF THE CONSTITUTION OF THE UNITED STATES ALL TREATIES MADE SHALL THE SUPREME LAW OF THESE TREATIES ARE BINDING ON FEDERAL STATE AND LOCAL GOVERNMENT OFFICIALS TO THE EXTENT. THAT THEY PERTAIN TO MATTERS WITHIN SUCH OFFICIALS COMPETENCE U.S. DEPT. OF STATE CONSULAR NOTIFICATION AND ACCESS INSTRUCTION FOR FEDERAL STATE AND LOCAL LAWS ENFORCEMENT AND OTHER OFFICIALS REGARDING NATIONALS IN THE UNITED STATES AND THE RIGHTS OF CONSULAR OFFICIALS TO ASSIST THEM.,

WHEN A U.S. CITIZEN IS ARRESTED ABROAD US CONSULAR OFFICERS ARE EXPECTED TO VISIT THAT PERSON AS SOON AS POSSIBLE US, DEPARTMENT OF STATE FOREIGN MANUAL SECTION. 422.1-1 THIS VISIT PROVIDES AN OPPORTUNITY FOR THE CONSULAR OFFICER TO EXPLAIN THE LEGAL AND JUDICIAL PROCEDURES OF THE HOST GOVERNMENT AND THE DETAINEES. RIGHTS UNDER THAT GOVERNMENT AT A TIME WHEN SUCH INFORMATION IS MOST USEFUL. U.S. DEPARTMENT OF THE STATE , , ,

THE RIGHTS TO CONSULAR ACCESS IS GUARANTEED UNDER THE VIENNA CONVENTION ON CONSULAR RELATION MULTILATERAL TREATY SIGNED BY. OVER. 100. COUNTRIES INCLUDING. THE UNITED STATES. USE THE RIGHTS UNDER A BILATERAL TREATY BETWEEN THE UNITED STATES AND YOUR COUNTRY OF NATIONALITY ARTICLE. 36.1. OF THE VIENNA CONVENTION ARTICLE 36. OF THE VIENNA CONVENTION ON CONSULAR RELATION FOR. SEARCH ANY ONE THEY CIVIL RIGHTS NOT BE VIOLATED AND AND. HUMAN RIGHTS TO ASSIST THEM

ALEXANDER GONZALEZ.DIN.13R1033

whether the action brought against respondent of INA act 237.A.2.a.iii. meets the ground presented in the INA. its violations. we ask the courts to review during court action the DHS again has presented conviction record not defined as official document from court proceedings. the DHS entered for evidence the INA records of conviction yet has not met with the burden of proof to support these claims and it has been long known that when the department of justice holds hearings that are brought before it for evaluation by the immigration court has always ruled in favor of documentation presented by such authorities that viewing the facts to issue civil determinations the immigration court has failed to determine the actual facts record in .. rendering impartial justice .. the courts knowingly attribute more credibility to documents entered by those authorities. placing deliberate indifference on the respondent. it has long known that when the immigration authorities

PLACE A WARRANT UPON AN ALIEN IT IS MORE THAN LIKELY THAT DURING PROCEEDINGS THE DEPARTMENT OF JUSTICE WEIGH THE EVIDENCE FAVORABLY TO THE USCIS, DSH.

IN LEAVING THE ALIEN AT THE MERCY OF SUCH AGENCIES WHEN A CASE THAT INVOLVES FEDERAL GUIDELINES OF CIVIL PROCEEDINGS WHICH IS GOVERNED BY THE EVIDENCE THAT CANNOT BE FAVORABLE TO THE PARTIES.

IMMIGRATION COURT PROVIDES THE ALIEN WHILE IN PROCEEDINGS WITH LEGAL AGENCIES AND THEIR INFORMATION AS TO ALIEN REQUESTING ASSISTANCE FOR THE HANDLING OF THIS CIVIL PROCEEDING AND FAILS TO INFORM ALIEN OF HIS RIGHTS TO CONSUL OF COLOMBIA IN THIS MATTER.

Gonzales Nino, Alexander
13-R-1033
Cape Vincent Correctional Facility
Route 12E, P.O. Box 739
Cape Vincent, N.Y.L 13618

DIN.13R1033

File No. A042-517-801

The Colombian Constitutional law has the most Corruption, subornation and intimidation by the Government in Paramilitary Police Officer. soldier's Security Forces Commit human Rights abuse - the most serious humans problems. Where impunity, an inefficient Judiciary force displacement corruptions and society descrimination impuity of civil rights inefficient justice system subuct to the intimidation limited the states ability to prosecute effectively individuals accused of human rights abuses and to bring to trial former members of paramilitary groups the availability of drugtrafficking revenue often exacerbated corruption societal against person and afor colomains at times restricted the ability of these groups to exercise their rights other problems included and unlawful killings slw presecution for decaded long internal conflict meber of the illigals armed groups including terrorist and organizations revolutionary armed force ocolombia AARC and the National liberation army E.L.N. as well as organized crime groups that contained some former paramilitary committred numero abuses including tyhe following political killings kilings member of the public security force and local plice officer as well and improvise explosive device kidnappings and force disappearnces subrnation and intimidation of judges prosecutors and witnesses. were no body had the freedoms and oll countyrof colombia killing abortions harreassment and intimidation human rightys teachers and trade unionests illigals armed groups. continued to be responsible for most killings of person includings the Governmnet the criminal

On November 21, 2014 I received a letter from Judge Roger Sagermand of the Immigration Court of the United States of America saying that I have to appeal my deportation decision because I did not appear to the deportation hearing.

On October 30th, 2014 I was in the deportation hearing in front of the same judge that sent me the letter.

Because I showed Juge Sagerman a Source of Law (27754) U.S.C.A.) supporting my Legal, Civil and Constitutional Rights he responded angrily and Maliciously.

For this reason he acted in an arbitrary and capricious manner which was an abuse of discretion on his part, where such determination was wholly inconsistent with the facts and cercumstances before him which is an unreasonable, unconsciobalbe action taken without proper consideration of facts and law pertaining to the matter submitted.

DIN.13R1033

ALEXANDER GONZALEZ NINO, FILE.042-517-801

according to the federal law of the united states constitution the conviction of two or more offenses of any type, plus aggregate sentences of imprisonment of at least five years. in a, 21-a.2. b.u.s.c. 1182.a.2.b. an alien is inadmissible if the alien is convicted of 2 or more offenses regardless of whether the offenses involve controlled substances or moral turpitude if the aggregate sentences to confinement actually imposed five years or more has to be at least, one hundred days plus one.

8.u.s.c.a.1227,,

alien's conviction for burglary was not crime of moral turpitude for purpose of transitional. iirira, precluding appeal by alien deportable by reason of having committed two crime of moral turpitude inasmuch as he was sentenced to only 79 days as opposed to the term of one year or more required for of moral turpitude, alberto gonzalez, vs, c.a.92000.215f.3d 906.,

the amendment, 6, of the united states of america,

of the constitution the united states, and local government officials to the extent that they pertain to matter within such officials competence, us department of states consular notification and access instruction for federal states and local law enforcement and other officials regarding foreign national in the united states and the rights of consular officials to assist them, and

connecticut in 2007 six student in the yale law school legal clinic succeeded in persuading an immigration who complained of warrantless search the judge berated the government for its egregious disregard of the immigration constitution rights and even though the government had every right to deport the individuals it opted to let them long enough to sue uncle sam for violating their right in fact us immigration and customs enforcement, ice, announced a policy of not deporting any one who is engaged in a legitimate effort to protect their civil rights and liberty , , , ,

UNDER BURGLARY IN THE SECOND DEGREE, SUB DIVISION 2. BURGLARY IS VIOLENT FOR SENTENCING PURPOSE ONLY HENCE, V.F.O. AND THE NEW YORK STATE